

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR07-5653  
)  
Plaintiff, )  
)  
v. )  
) DETENTION ORDER  
WILLIAM J. SYBERTZ, )  
)  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Operating a Motor Vehicle Under the Influence of Alcohol; Possession of  
a Controlled Substance; Operating a Motor Vehicle Without a Valid  
Operator's License

Date of Detention Hearing: May 12 , 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
that no condition or combination of conditions which defendant can meet will reasonably assure  
the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. The above-referenced charges were allegedly committed in the Olympic National

01 Park in August 2007. Defendant failed to appear and a bench warrant was ordered. Defendant  
02 was not interviewed by Pretrial Services. He was offered the opportunity to have the detention  
03 hearing scheduled at a later date, but indicated his preference to go forward at the initial  
04 appearance.

05 2. Defendant's criminal history includes serious felony charges, including armed  
06 robbery, attempted armed robbery and felon in possession of a firearm. He has multiple DUI  
07 convictions. His criminal history includes multiple failures to appear with resultant bench warrant  
08 activity.

09 3. Defendant's background information is largely unknown.

10 4. Defendant poses a risk of nonappearance due to unknown background information,  
11 prior failures to appear, failures to comply with court orders/terms of supervision, and possible  
12 substance abuse issues. Defendant poses a risk of danger due to criminal history and the nature  
13 of the pending charges, specifically, an alcohol-related driving offense.

14 5. There does not appear to be any condition or combination of conditions that will  
15 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
16 to other persons or the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the  
19 Attorney General for confinement in a correction facility separate, to the extent  
20 practicable, from persons awaiting or serving sentences or being held in custody  
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with

counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 12th day of May, 2008.

  
\_\_\_\_\_  
Mary Alice Theiler  
United States Magistrate Judge